

**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:** Tuesday 4 October 2022

**INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS**

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**1. APPEALS RECEIVED**

1.1 21/00057/FP, Land Between Watercress Close, Coopers Close and Walnut Tree Close. Appeal against refusal of planning permission for the erection of two detached dwelling houses including new site access from Watercress Close and 560sqm of publicly accessible open space to the south of the site.

**2. DECISIONS AWAITED**

2.1 21/00809/FP. 168 Fairview Road. Appeal against refusal of planning permission for the erection on 1no. two bedroom detached dwellings with parking and access.

2.2 21/01152/ENF. 68 Basils Road. Appeal against the serving of an enforcement notice to remove the first floor of the two storey rear extension which was refused under planning permission reference number 21/01256/FPH.

2.3 21/01256/FPH. 68 Basils Road. Appeal against the refusal of planning permission for the retention of a part two storey, part single storey rear extension.

2.4 21/01101/FP, 303 Ripon Road. Appeal against refusal of planning permission for the conversion of 1 no. 4 bedroom dwelling to 3 no. studios, single storey front and rear extensions and conversion of garage including the change of use from public amenity land to residential use and associated parking.

2.5 21/00717/ENFAPL, 134 Marymead Drive. Appeal against the serving of an Enforcement Notice relating to the unauthorised erection of an outbuilding and front extension.

2.6 21/01025/ENFAPL, 7 Boxfield Green. Appeal against the serving of an Enforcement Notice relating to the development not in accordance with approved plans under planning permission reference number 17/00734/FPH.

**3. DECISIONS RECEIVED**

3.1 **21/00681/AD, McDonalds, Monkswood Retail Park, Elder Way.** Appeal against refusal of advertisement consent for 1no. internally illuminated totem sign.

- 3.1.1 The appeal was allowed subject to a condition restricting the intensity of the illumination of the sign to be no greater than 600cd/sqm. The consent was for five years from the date of the appeal decision.
- 3.1.2 The Inspector felt that the sign would be seen within the context of the retail park with various other signs visible nearby, and within its backdrop. As such, the sign would be well related to the appeal site and, in the wider context, the sign would not appear out of keeping or incongruous to its setting.
- 3.1.3 Given the size of the existing hedgerow, the sign would benefit from a significant amount of screening and whilst it may be seen above the hedgerow in places, the extent of this would be limited. In winter months when less screening is available from the hedgerow, more views of the wider retail park would also become visible and the sign would appear in context as stated in point 3.1.2 above. For these reasons, the appeal was allowed.
- 3.2 **21/01126/FP. 56 Austen Paths.** Appeal against the refusal of planning permission for the change of use from a 6-bedroom House of Multiple Occupation (HMO) Class C4, to a 7-bedroom HMO (Sui Generis), 3 x car parking spaces; 8-bicycle parking spaces, and location of 7-bin storage facilities to the rear driveway.
- 3.2.1 The appeal was dismissed.
- 3.2.2 The award for costs was dismissed
- 3.2.3 The Inspector noted on his site visit that the parking bays were almost full and there were a number of cars parked on the highway, in some cases blocking other vehicles and reducing space on the highway thereby resulting in congestion. Other parts of the cul-de-sac were less congested however. He did not find any significant spare capacity in car parking within the surrounding area and noted Siddons Road and Ferrier Road were similarly congested.
- 3.2.3 The Inspector apportioned substantial weight to the Car Parking Provision SPD (2020).
- 3.2.4 The Inspector noted that the appellants parking survey acknowledged the over-capacity of parking provision within the cul-de-sac and that future occupiers would be likely to need to park in other streets further away.
- 3.2.5 The development would provide 8 cycle parking spaces which is in line with the requirements of the SPD and the Inspector felt that as this did not go beyond the minimum standards, there was no significant benefit of the scheme which does not weigh heavily in its favour.
- 3.2.6 The Inspector stated that as the proposal does not comply with the car parking standards in the SPD, it does not benefit from the exceptions applied to development in more accessible locations and therefore conflicts with Policy IT5. He stated that there are acute parking issues in the area and with no compelling evidence to demonstrate that the proposal would not worsen existing problems, the proposal would result in a detrimental impact on highway safety.
- 3.2.7 At the time of the decision, the Council could not demonstrate a 5 year housing land supply and therefore paragraph 11(d) of the NPPF (2021) was engaged. However, the Inspector stated that a HMO of this scale would only contribute modestly to housing supply and any associated social and economic benefits would be negligible and can be demonstrated to be demonstrably outweighed by the identified adverse impacts.
- 3.2.8 The award of costs was dismissed as the Inspector found that the Council had not acted unreasonably, the reasons for refusal were sound and the evidence submitted to demonstrate the Council had acted inconsistently between applications was not applicable as the previous case was materially different to the appeal site.